

April 4, 1975

PRESIDENT: Senator Kelly.

SENATOR KELLY: Mr. President, I would appeal the ruling of the Chair and on this basis.

PRESIDENT: There has been an appeal of the ruling of the Chair, and you wish to be heard on this Senator Kelly?

SENATOR KELLY: Yes, Mr. President, I would respectfully request that the members of the Legislature that before they vote on this point of order, that if necessary that they stand at ease or whatever it takes to read that rule 5G and determine if the fiscal note has any value. If the fiscal note has no value, let's take them out of the books. Now if the fiscal note does have value, then let's prepare a bill and send it along with this as the rules say we shall. This is my point of order and this is my appeal.

PRESIDENT: Senator Clark.

SENATOR CLARK: Mr. Chairman, I think that I would have to overrule you on this. I know that last year what we did was to give the industrial court of relations an additional duty with no A bill. They came back to us with a deficiency appropriation. I am afraid that the same thing could happen here unless there is an A bill with it. No one can seem to determine what it is, but the fiscal people did. A \$140,000 or \$70,000, whichever one that you care to go for. The easiest thing to do is pass legislation and say that the fiscal note is wrong. But where does that lead us? Someone is going to have to pay for this. They are going to come back next time and say that you mandated us to do this, but there was no A bill. Then they wanted a deficiency appropriation. You go and try to argue with a court system sometimes on a deficiency appropriation. They say that this was it, that is what we are going to do, we can get the money anyway, whether you want to pass it or not, and that is what they do to us.

PRESIDENT: Senator Marsh.

SENATOR MARSH: Mr. President, as I read LB542, this is a procedural matter and it has been requested by juvenile judges so that a method is set up for this particular procedure and Vince I wonder if I could....excuse me, Mr. Brown, would you please read me what your fiscal note says.

CLERK: Read

SENATOR MARSH: Now in order that each Senator has heard this may I ask you again too....the revised fiscal note says that there is no additional funds needed, is that correct?

CLERK: That is correct. It is different than the ones that is in our bill book, I might say also.

SENATOR MARSH: Well since we do not have the corrected form in our book, I would like to move that we go ahead and advance 542.